



MEETING MINUTES
BOARD OF SUPERVISORS, COUNTY OF MONO
STATE OF CALIFORNIA

Regular Meetings: The
First, Second, And Third
Tuesday of each month

Regular Meeting

County Courthouse,
Bridgeport, CA 93517

September 8, 2009

Flash Drive	File #1009-1010
Minute Orders	M09-205 through M09-216
Resolutions	R09-58 through R09-63
Ordinance	Ord09-03 not used

9:06 a.m. Meeting called to order by Chairman Reid.

Pledge of Allegiance led by Marshall Rudolph.

OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD

BOARD MEMBER REPORTS

Supervisor Bauer:

- Met with John Holm Wednesday, then to Town Council meeting that night.
- Para-Transit system in Mammoth won't be guaranteed after 6 p.m. now but is available if needed by appointment.
- Ball field has been feverishly worked on, looks great.

Supervisor Hazard:

- Went to Sacramento, attended fair and meetings. Out of 33 counties that had displays, Mono County itself didn't have anything represented. This is something we should look at for the future. Governor staff's display case was also disappointing; we only have a post card. We can do a better job.

Supervisor Hunt:

- Attended SAR BBQ at Fire Station One.
- Fri-Sat – hiked up to Univ. Pass and camped in the rain.

Supervisor Farnetti:

- Attended SAR BBQ and fundraiser; good turn out. Won women's ski vest raffle prize.
- Received a call from town council member asking to get together with him and Byng to talk about courthouse building.
- Attended Labor Day Art Show.

Supervisor Reid:

- Went to management meeting on Wednesday; that afternoon had conference call re: Dept. of Water and Power.
- Still trying to catch up with Senator Reid's office, playing phone tag.
- Met with Terry Gooch.
- Attended RPAC meeting.
- Attended CHS football game and was very impressed with Jason Peters.
- Mammoth Lakes Art Show was attended by his family members and they really enjoyed it.
- Founder's Day weekend was in Bridgeport this past weekend and very well attended. At the dinner, a lot of history on Mono County schools was discussed which was fascinating.

COUNTY ADMINISTRATIVE OFFICE

- 1) CAO Report regarding Board Assignments (David Wilbrecht)
RECOMMENDED ACTION: Receive brief oral report by County Administrative Officer (CAO) regarding his activities.

Dave Wilbrecht:

- Lightly attended management meeting last week.
- Bob Garret has resigned; feels the County shouldn't rush into regular recruitment as it's an important position. Terry Gooch is going to assist in this process. Will get as many interested parties as possible during the recruitment process.
- Dave is gone next week; Brian Muir will be acting CAO.
- Agenda Review Committee meeting tomorrow at 11:30 a.m.

- 2) **APPROVAL OF MINUTES**

M09-205 ACTION: Approve minutes of the regular meeting held August 18, 2009.
Bauer/Hunt 5-0

M09-206 ACTION: Approve minutes of the special meeting held August 18, 2009.
Hunt/Hazard 5-0

Closed Session: 9:12 a.m.
Reconvened: 9:50 a.m.
Break: 10:58 a.m.
Reconvened: 11:11 a.m.
Break for lunch: 11:45 a.m.
Reconvened: 1:02 p.m.
Break: 2:38 p.m.
Reconvened: 2:47 p.m.
Adjourned: 4:24 p.m.

CLOSED SESSION

There was nothing to report out of closed session.

COUNTY COUNSEL

- 3a) Conference with Legal Counsel - CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION. Significant exposure to litigation pursuant to subdivision (b) of Government Code section 54956.9. Number of potential cases: one.

This item was pulled.

Additional Departments: Public Works

- 3b) Closed Session - Real Property Negotiations - CONFERENCE WITH REAL PROPERTY NEGOTIATORS. Government Code section 54956.8. Property: Bryant Field Airport. Agency negotiator: Kelly Garcia. Negotiating parties: Mono County and Aerohaus LLC. Under negotiation: Fee/rent for a "through-the-fence" Airport Use Permit.

PUBLIC WORKS

- 4a) Conference with Real Property Negotiators - CONFERENCE WITH REAL PROPERTY NEGOTIATORS. Government Code section 54956.8. Property: 106390 U.S. Hwy 395, Walker California (APN: 02-140-33). Agency negotiators: Kelly Garcia, Dave Wilbrecht, Marshall Rudolph, and Brian Muir. Negotiating parties: Mono County and Lyn C. Norberg. Under negotiation: price and terms of payment.

DEPARTMENT REPORTS/EMERGING ISSUES

Ed Zylman: He's been trying to keep the Board informed on the Governor's budget cuts. He passed out a chart which shows a good picture of where we've been hit. Adult Protective Services seems o.k. with no cuts. Aging: we're going to be cut, not sure how much yet. The chart is very self-explanatory. As he gets more information on allocations he will keep the Board informed.

Dr. Rick Johnson: H1-N1 pandemic, declaring a local health emergency and has

opened up their EOC. Very little activity in last couple weeks but was just informed that someone in our county has just been hospitalized for H1-N1. He expects this to peak end of September/middle of October. Average age is 29. Declared an emergency for two reasons: (1) enhanced information management; (2) resource management issues. They will need personnel as this progresses. Biggest fear: they only have two ICU beds in this county. This is to set the stage so that they will be prepared to do what they need to. Reports will be forthcoming to the Board. Ratification to the "local emergency" Board by next Tuesday; to be agendized.

Board Comments: Reid and Farnetti would like to know which community the local outbreak occurred in and understand the need to keep things confidential. Asked this to be agendized for next Tuesday to deal with ratification of declaration of local emergency. Will need to be renewed every 14 days due to Health and Safety Code.

Lynda Roberts: An email complimenting the County regarding the Crowley Lake Community Center was from KMMT and read to the Board for their information.

Garret Higerd: Next Wednesday at 1:00 p.m. there is a workshop with FEMA in Sierra Center Conf. Room regarding how maps were produced; impacts to flood insurance; planning for future outreach and to discuss future outreach studies in our county. Intended to be for local officials and staff primarily; could do a public meeting later that same day or a different day. Flood plain mapping will be discussed. Marshall Rudolph: asked the Clerk to keep tabs on this in case this becomes an official "board meeting" that needs to be posted.

Jeff Walters: Last week he attended an ICS training – five days in Mammoth, he learned a great deal. Snow plow blades – bids came in with Sawtooth Snow and Ice; will be ready in time for winter, by first part of December; Bodie Road issue: State park had asked for assistance with grading of the road – up to five times throughout the summer – the park declined due to funding issues. The park will remain open and try to find extra money to address the road issue in the future.

Sheriff Rick Sholl: There weren't many significant events over Labor Day weekend; SAR team has been busy; SAR fundraiser last week in Mammoth, very successful; ICS training was very important showing how important it is for different agencies to work together; There is also an executive ICS training for politicians and he will forward information to the board members; Mammoth Lakes Rotary Club on 9/10 – they will have their annual procession to honor 9/11. This will be led by Military Honor Guard and MLPD and MCSD Honor Guard – open to public but need a number for number of lunches to serve; Sheriff thanked Supervisors for supporting the Sheriff's Office.

CONSENT AGENDA

All matters on the consent agenda are to be approved on one motion unless a board member requests separate action on a specific item.

FINANCE

- 5a) Approval to Sell Tax-Defaulted Property - Consider approval of Tax Collector's proposed sale of tax-defaulted property subject to power to

sell.

M09-207 **Action:** Approve proposed sale of tax-defaulted property.
Farnetti/Hunt: 5-0

5b) Tax Rates for Fiscal Year 2009/10 - Consider resolution establishing 2009-10 tax rates on the secured roll.

R09-58 **Action:** Adopt **Resolution R09-58** establishing the 2009-2010 Tax Rates on the Secured Roll.
Farnetti/Hunt: 5-0

5c) Appropriations Limit - Establishing the Appropriation Limit for Fiscal Year 2009-10.

R09-59 **Action:** Adopt **Resolution R09-59** establishing the Appropriation Limit and making other necessary determinations for the County and for those Special Districts governed by the Board of Supervisors that are required to establish Appropriations for Fiscal Year 2009-10.
Farnetti/Hunt: 5-0

COUNTY COUNSEL

Additional Departments: First 5 Children and Families Commission

6a) Appointment of Dr. Byron Sansom to First 5 Children and Families Commission - Appointment to the Mono County First 5 Children and Families Commission.

M09-208 **Action:** Appoint Dr. Byron Sansom, DDS, to the Mono County First 5 Children and Families Commission for a three year term commencing on September 8, 2009, and ending on September 7, 2012.
Farnetti/Hunt: 5-0

REGULAR AGENDA

CORRESPONDENCE RECEIVED

CLERK-RECORDER

7a) Mammoth AYSO - Letter from Mammoth Youth Soccer Organization thanking Mono County for funding support for last year's season, and requesting \$3,000 for the 2010 season.

7b) Mammoth Lakes Swim Team - Letter from the Mammoth Lakes Swim

Team requesting financial support from Mono County in the amount of \$3,000.

Items 7a and 7b: Requests will be considered at mid-year budget review.

7c) Board of Supervisors, County of Inyo - Letter from Beverly A. Brown, Chairperson of the Inyo County Board of Supervisors advising the Mono County Board of Supervisors, via formal Resolution, that it no longer desires to participate in the Inyo Mono Fish and Game Advisory Commission. Instead, each county will have its own advisory committee.

7d) Los Angeles Department of Water and Power - Letter from Martin L. Adams, LADWP, informing of the completion of the Instream Flow Study Report. This report is available in its entirety for review at the clerk's office.

The Board acknowledged receipt of correspondence.

CLERK OF THE BOARD

8a) Domestic Violence Awareness Month (**Lourdes Gonzalez and Susi Bains, Wild Iris**) - Proclamation declaring the month of October 2009 as Domestic Violence Awareness Month.

M09-209 Action: Adopt proclamation declaring the month of October 2009 as Domestic Violence Awareness Month.
Hunt/Hazard: 5-0

Susi Bains: addressed the Board asking that the month of October 2009 be declared Domestic Violence Awareness Month. Discussed upcoming fundraisers, etc. They thanked everyone for their support. In 2010 Domestic Violence Awareness Month will be in May (which the Board said they would also support). A formal proclamation was presented to Wild Iris.

BOARD OF SUPERVISORS

9a) Impact of State Employee Furloughs (**Craig Holste, Caltrans Deputy for Maintenance and Operations; and Sgt. O'Sullivan, Whitehead or Biehl, California Highway Patrol**) - Discuss how state employee furloughs will impact public safety, including California Highway Patrol and Caltrans' winter operations.

Action: No action taken.

CHP: Sgt. Brian Biehl has added six new officers to the Bridgeport area. When we have a major storm we can have issues in different areas of the county. They have

found they work very closely with all law enforcement agencies as well as Caltrans. Furlough Days – this hasn't affected any of their operations at this time. CHP has a bit of flexibility within clerical staff as to what days the furlough days are. Captain Tim Lepper: Overtime will be approved only if it's considered critical to Public Safety. He feels that all snow related activities would easily be approved for overtime.

Caltrans: Craig Holste – They are required to take 24 hours of furlough leave, extended self-directed work furlough days – gives them ability to work certain Fridays when others are off if necessary. Management decides this. Explained Cal Trans furlough leave and new overtime rules: there will be some challenges but they hope to be able to respond by working with law enforcement agencies. Budget cuts have not affected the work force too much; numbers should stay similar.

Board Comments: The request for information on furlough days came out of an LTC meeting where people were concerned about not having personnel working during snowstorms, etc. Are the furlough days standardized? Always Fridays? Overall it was determined that better communication was/is needed. Radio in Crowley is not being utilized to its fullest capacity at this point. Would like law enforcement agencies to get together to make sure everyone is on the same page. Bauer thanked CHP for speed testing at bottom of Fish Hatchery Road and for getting speed limit changed. How's morale of work force? Concerned that when the phone rings to call in employees from furlough days that they won't answer. Rest area discussions ongoing.

CLERK OF THE BOARD

- 10a) Inyo National Forest (**Jim Upchurch, Forest Supervisor**) - Presentation by Inyo National Forest Supervisor, Jim Upchurch, pertaining to the Final EIS and Record of Decision for the Inyo National Forest Travel Management project. This decision is the culmination of a five-year planning process to designate a system of motorized routes on the Inyo National Forest.

Action: No action taken.

Jim Upchurch, Forest Supervisor: brought with him: Susan Joyce, Mike Slottham, Nancy Upham – Power Point Presentation (full copy included in agenda folder): Final EIS and Record of Decision for the Inyo National Forest Travel Management project regarding designating a system of motorized routes. Alternative 6 was selected: quite a bit of miles added. The selected alternative provides a transportation system for the future. Alternative 6 includes: 10 miles added to system, 1.5 miles eliminated, Little Hot Creek = modified network of routes, prohibition on cross-country travel, etc. This was developed as a collaborative, community-based effort which makes it rewarding. 45-day appeal period going on; could be implemented in October if no objections. Looking forward to having community volunteers help implement this. Motor Vehicle Use Map scheduled to be released in December. Appreciates the support from the county, communities, etc.

Board Comments: Asked what maps will be published? Pleased with the processes Forest Service goes through – end product much appreciated. Collaborative efforts

really do work even if it takes time. User groups necessary for enforcement regarding illegal cross-country travel. Any affect on winterized activity? Wood cutting?

COUNTY ADMINISTRATIVE OFFICE

Additional Departments: Assessor

- 11 a) Human Resources (**Rita Sherman/Mary Booher**) - Consider and potentially adopt proposed resolution approving an employment agreement with Christopher Lyon and prescribing the compensation, appointment and conditions of said employment. Receive staff report. Provide any desired direction to staff.

R09-60 Action: Adopt **Resolution R09-60** approving an employment agreement with Christopher Lyon and prescribing conditions of said employment.

Hazard/Farnetti: 5-0

Appraisal Management position.

Additional Departments: Mental Health

- 11 b) Human Resources (**Rita Sherman/Mary Booher**) - Consider and potentially adopt proposed resolution approving an employment agreement with David Scheidlinger and prescribing the compensation, appointment, and conditions of said employment. Receive staff report. Provide any desired direction to staff.

R09-61 Action: Adopt **Resolution R09-61** approving an employment agreement with David Scheidlinger and prescribing conditions of said employment.

Hunt/Farnetti: 5-0

LUNCH

OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD

No one spoke.

CLERK OF THE BOARD

- 12a) 2010 Census (**Rebecca Garrett, Local Census Officer**) - Rebecca Garrett will present information about the 2010 Census and efforts to create partnerships in order to promote awareness and encourage participation.

Action: No action taken.

Rebecca Garret, Local Census Officer: She's going to be hiring census officers. What types of questions might the Board have for her? Her phone number is (310) 795-9161. She will be in Mammoth and back and forth to Bridgeport over the next couple of months. A committee needs to be put together. Changes from 2000 census: the form is much shorter and they are hoping for a much better response. The follow-up campaign for those who don't answer by mail will be done door-to-door. Census date: April 1, 2010. Everyone will get questionnaires via hand delivery due to our area addresses being primarily Post Office boxes. New census asks pertinent questions.

Board Comments: Lynda Roberts will agendaize Rebecca to appear at evening meeting next Tuesday evening in Mammoth Lakes. Asked her to highlight changes between the last Census and this one. What about P.O. Box issue? Some mail being received from the Census Bureau to Board member that really doesn't apply to our County. Board asked Rebecca to re-direct these types of inquiries.

HEALTH DEPARTMENT

13a)

Maternal Child and Adolescent Health Plan for FY 2009-10 (Lynda Salcido/Sandra Pearce) - Consider and potentially approve County entry into proposed contract with California Department of Health Services Maternal, Child and Adolescent Health/Office of Family Planning (MCAH/OFP) Branch pertaining to the delivery of MCAH services and authorize the Board Chair to execute said contract on behalf of the County. Receive staff report. Provide any desired direction to staff.

M09-210

Action: Approve County entry into proposed contract with California Dept. of Health Services Maternal, Child and Adolescent Health/Office of Family Planning (MCAH/OFP) Branch pertaining to the delivery of MCAH services and authorize the Board Chair to execute said contract on behalf of the County.
Hunt/Hazard: 5-0

Sandra Pearce: Gave brief overview of what MCAH is/does and highlighted the Title V Needs Assessment Summary Report (entire contract and supporting information on file at the Clerk's office). Public Health is looking for authorization to renew the 2009/2010 contract. We're doing very well on teenage pregnancy rates, we have very few. Lots of our kids are getting to the dentist. Rate of hospitalizations are very low for our area. Due to our small population it's a bit hard to estimate certain percentages. She discussed the 2009/2010 priorities. The priorities are reflective of the type of data they can capture

Board Comments: asked what our obesity rates are for this area? Are there areas that we are doing especially well in compared to other areas? Hispanic birth rate/population is very interesting in our county. Was curious why they say adolescents 5 – 19, not

18? Why such high rate of cesarean birth?

PUBLIC WORKS

- 14a) Library Expansion at the June Lake Community Center (**Kelly Garcia**) - Receive staff report regarding bids received in response to solicitation for bids, bid protests received (if any), and responsibility of the apparent low bidder. Consider acceptance of donations and potential allocation of funds to complete the project. Consider and potentially authorize the Public Works Director to enter into and administer an agreement for the work. Provide any desired direction to staff.

M09-211 Action: 1. Authorize staff to accept donation from the June Lake Friends of the Library in the amount of **\$26,295**, and direct that it be deposited in the Capital Improvement Program fund for the June Lake Branch Library Expansion project. 2. Identify **Rasp Construction Company** as responsible bidder submitting the lowest bid and award contract to **Rasp Construction Company** for the June Lake Branch Library Expansion project, in an amount not to exceed **\$26, 295**. 3. Authorize the Public Works Director (in consultation with County Counsel) to execute and administer an agreement with the lowest responsible bidder, including authority to approve and issue change orders to the contract in accordance with Public Contract Code §20142, in a cumulative amount not to exceed **\$5,000** provided such amendments do not substantially alter the scope of work and are approved as to form and legality by County Counsel. 4. Contribute additional Mono County funds in the amount of \$5,000 for change orders if needed, to be reimbursed by Mono County Office of Education.

Bauer/Hunt: 5-0

Brian Muir: He's going to put the exact \$26,295 in so make sure motion includes the consideration of extra \$5,000 and it can be addressed *if* it's needed.

Kelly Garcia: bringing back bid results today. There were six bids received – the lowest being Rasp Construction Co.

A representative from the Office of Education was on hand to say thank you for this project but to also confirm their willingness to contribute the additional \$5,000 if necessary.

Additional Departments: County Counsel

- 14b) Grading Ordinance Amendment (**Garrett Higerd, Stacey Simon**) - Consider and potentially introduce, read title, and waive further reading of proposed ordinance Amending Certain Sections of Chapter 13.08 of

the Mono County Code Pertaining to Land Clearing, Earthwork, and Drainage Facilities, and direct clerk to schedule said ordinance for adoption at the Board's next regular meeting. Receive staff report. Provide any desired direction to staff.

M09-212 Action: Introduce, read title, and waive further reading of proposed ordinance.
Hazard/Bauer: 5-0

Garrett Higerd: fairly minor changes to ordinance. Need to redefine what "owner" means and also the question of bonding. Stacey Simon: just making clear that the permittee always hold the county harmless, etc. The permittee must certify and is responsible for determining that they have adequate interests in the property. It's not the responsibility of Public Works. (The permittee's representation as opposed to our determination.) We're required to take the permittee's word BUT we can also require a bond.

- 14c) Lease of the Old Sheriff's Substation (**Kelly Garcia**) - Receive staff report regarding the condition of the Old Sheriff's Substation and status of the Mammoth Dog Team lease. Consider and potentially authorize Public Works to advertise for proposals to lease the County property. Provide any desired direction to staff.

M09-213 Action: Direct staff to review the use of the property utilizing the guidance provided today as far as use and limitations and report back to the board within 120 days. In the meantime, Jim Ouimet's operation (Mammoth Dog Team) will be allowed to continue within the provisions of the current lease. Bring back to the Board for further discussion.
Hazard/Hunt: 5-0

Kelly Garcia: In past years, the Sheriff's old substation has been leased to Mammoth Dog Team. The lease is up and it is their opinion that it has to go out to bid.

Dave Wilbrecht: a lot of people have approached the county to continue using it for storage. He thinks the issue needs to be deferred until all studies have been conducted. Unintended consequences are right on the brink of this issue.

Board Comments: Has there been any determination as to what other uses the building might house? Before Jim Ouimet started leasing the space it was a huge mess with trash everywhere; he really cleaned it up. How about letting Jim stay through the winter and then in the Spring deal with the "out to bid" issue. Thinks there are ways this can be addressed without throwing him out. Does the Board have discretion as to whether or not he can stay without a lease for now? If an RFP goes out, does the Board get to decide the use of the building? No one should live inside the building, no matter what happens with the lease. A lot of the items needing to be fixed are all issues of the building and have been issues forever, they aren't Jim's issues. Need a pre-inspection and post-inspection once lease is redone. Hazard thinks we need to

move forward, not wait until Spring.

Marshall Rudolph: spoke generally about legalities on this lease, other leases, uses, etc. Having Jim there without a lease is not an ideal situation for either him or us but a couple more months probably isn't that big of a deal. Stacey Simon: pointed out that the lease really was originally intended for outside use, not inside use – would need to be clarified for future use. But, he needs someone there after hours so that needs to be addressed.

Jim Ouimet of Mammoth Dog Team: Caught off guard. He's been closed down while awaiting Board's decision on this. He would very much like to stay where he is, his dogs have nowhere else to be.

Laurel Martin – volunteer at Mammoth Dog Team – she works at Disabled Sports and works with disabled kids who have gotten tremendous “therapy” from Mammoth Dog Team. Thinks the storage issue can be addressed, even with Mammoth Dog Team being there.

Scott Burns – this building is classified as “public agency” so the Board does have discretion as to what goes in there.

- 14d) Veteran's Appreciation Signs (**Jeff Walters**) - Receive staff report regarding the potential installation of veteran appreciation signs on Highway 395 in Mono County. Consider and potentially adopt a resolution R09- authorizing Public Works to install veteran appreciation signs at the Mono County lines on Highway 395. Provide any desired direction to staff.

M09-214 Action: Find that AB 2002 (LaMalfa) allows counties to place the words “Where We Honor Veterans” on county highway signs at or near county lines, at county expense, and that doing so in Mono County would be in the public interest. Fiscal Impact: \$4,000.00.

Hazard/Farnetti, 5-0

R09-062 Action: Adopt **Resolution R09-62**, “A Resolution of the Mono County Board of Supervisors Authorizing the Department of Public Works to install Two Veteran Appreciation Signs at the Mono County Lines on Highway 395.

Hazard/Farnetti, 5-0

Jeff Walters: They only looked at Hwy 395 but there are other highways that could be considered later (i.e. 120). He thinks the installation of the two signs can be done fairly quickly.

COUNTY COUNSEL

Additional Departments: Community Development, Economic Development

- 15a) Walker River Basin Acquisition Program and Proposed Lease Program (**Stacey Simon/ Tony Dublino**) - Presentation regarding the Draft Environmental Impact Statement for the Walker River Basin Acquisition Program prepared on behalf of the Department of Interior, U.S. Bureau of Reclamation and related legislation which would appropriate funds for water leases in the Walker River Basin and expand authority for water acquisitions into the California portion of the Walker River Basin.

M09-215 Action: Authorize comment letter regarding the DEIS to be signed by *all* Board Members.
Bauer/Hazard, 5-0

R09-063 Action: Adopt **Resolution R09-063** opposing expansion of Acquisition Program into California and opposing the establishment of a lease program in California.
Farnetti/Hazard, 5-0

Stacey Simon: Draft EIS. After giving brief history on the Environmental Impact Survey, she spoke about a draft letter to the Bureau of Reclamation asking for more information as it relates to Bridgeport and Topaz reservoirs and various instream flows. Department of Interior Regulations appears to be inconsistent with NEPA and Mono County opposes the expansion of the Acquisition Program into California. Bigger issue: HR 3183 – establishes the premise for leasing of water rights being preferable to purchasing them. This is all happening through appropriations (farm bills, energy bills, etc.). HR 3183 would authorize leasing program and extend Walker River Basin project into California. We were never informed that this issue went to the Senate. The proposed resolution opposes certain provisions of HR 3183 related to the operation of the Walker River Basin Acquisition Program in California.

Benny Romero: He is on several Agriculture Boards. Thanked Stacey for all her research. There are 10 leases that have already taken place; no idea where the money is going. Asked for a copy of the Resolution to take to his Board.

Board Comments: Mono County needs to be taken out of the bill. We need to rely on the Delegation now for traction since we were kept out of the loop on this issue.

- 15b) Federal Agency Cooperation with Local Government (**Stacey Simon**) - Presentation regarding legal requirements for cooperation between federal land management agencies and local government entities.

Action: Direct Stacey Simon, Assistant County Counsel, to draft a new cooperation letter and to also look at grazing issue (contact Fred

Fulstone) to help determine outstanding cooperation issues.

M09-216

Bauer/Hazard, 5-0

Stacey Simon: There have been several changes to the law since County Counsel's Land Use memo back in 2001. These statutes are mostly procedural i.e. using the phrase, "to the extent practicable" "as far as feasible", etc. NEPA has several coordinating/cooperation provisions, but all procedural. NFMA – requires planning for federal lands at all sorts of levels; there are coordination provisions. FLPMA – keep apprised of our local plans, etc. ESA – does not have any cooperating provisions whatsoever. She mentioned a letter written in 2001 to BLM letting them know that there is a Collaborative Planning Team in place for these issues and asked whether it may be time for another letter? We need to keep current on all procedures.

Board Comments: "Invoking Coordination" is a hot button right now. We're best off keeping all these tools current. Does Mono County have any specific issues at this time? The Big Horn Sheep issue? There are times we are invited as individual supervisors to participate in certain issues. It would be a good idea to update our 2001 memo and to also pick an issue to address, i.e. the Big Horn Sheep grazing issue.

BOARD OF SUPERVISORS

16a)

State Budget (**Board Members**) - The Board of Supervisors may discuss issues pertaining to the California State budget.

Action: No action taken.

- Bodie State Park is going to stay open.
- Brian Muir has a meeting next week regarding Securitization as a result of the suspension of Prop. 1A.
- Scott Burns: assumed the Board would not want to entertain anymore Williamson contracts. Marshall: in the works is a workshop to discuss all issues regarding Williamson Act and other issues. Right now, the Board is in a wait and see mode.
- Hap leaving for CSAC next week, he has stack of issues. Some include: Fish and Game reorganization, crestview closures; oasis sign – changeable sign; walker river acquisition, Digital 395 Update. The Board agreed that the Digital 395 Update is top priority to be addressed at this meeting.

ADJOURNMENT – 4:24 p.m.

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BILL REID, CHAIRMAN

Board of Supervisors
County of Mono

ATTEST:

SHANNON KENDALL

Sr. Deputy Clerk to the Board

